

September 21, 2017

Clerk, U.S. Bankruptcy Court

## IT IS ORDERED AND NOTICE IS GIVEN THAT:

(a) The court will prepare a Notice of Hearing on the motion and deliver it to the debtor for service per this order.

(b) The debtor must comply with all provisions in the court's Notice to Serve Document(s), and must BOTH (1) serve a copy of the Notice of Hearing, and copies of the other documents on the entities and as specified in the Certificate of Service below; AND (2) FILE a completed Certificate of Service using a copy of this document (WITHOUT any attachments).

(c) Any creditor listed below that does not attend the hearing set by the court and object to this motion may both: (1) have its claim allowed, and (2) share in payments as provided in the debtor's plan for that type of claim as if such claim had been timely filed. If the debtor completes the plan or seeks a hardship discharge, the debtor may contend that any balance owing upon the claim will then be discharged.

(d) Dividends payable on allowed unsecured claims will not be affected if the plan provides that unsecured creditors receive a fixed percentage. However, if payments are to be made for a fixed period of time, then future payment of an additional claim as if it were timely filed will result in a reduction of the dividend paid to unsecured creditors.

(e) The debtor's Certificate of Service of this order shall satisfy the Fed. Bankruptcy Rule 3004 notice of filing requirements.

DAVID W. HERCHER  
U.S. Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF OREGON

In re:

- } Case No. \_\_\_\_\_  
 )  
 ) [ONLY FOR CHAPTER 12 AND 13 CASES]  
 ) DEBTOR'S MOTION FOR ORDER FOR ALLOWANCE  
 ) AND FUTURE PAYMENT ON UNTIMELY FILED  
 ) CLAIM(S); AND ORDER AND NOTICE THEREON

Debtor(s)

1. The debtor moves the court for an order allowing and providing for future payments on the untimely claim(s) filed by, or on behalf of, the following creditor(s) with the status (e.g., priority, secured, unsecured) and amount shown as if such claim(s) were timely filed:

CREDITOR NAME AND SERVICE ADDRESS

STATUS

AMOUNT

2. The debtor's failure to timely file claims for the above creditors [see Fed. Bankruptcy Rules 3004 and 9006(b)(1)] was due to the following excusable neglect:

3. Allowance and future payment of the claim(s) as if such claim(s) were timely filed will benefit the debtor, for any listed creditor who was scheduled in time to file a claim prior to expiration of the bar date, as follows [NOTE: Explain each separately if applicable]:

4. The name/service address for debtor copies are:

**ATTACHED** is a copy of the original proof of claim that has either been filed or, but only if the debtor is not represented by an attorney, is included as a SEPARATE document for filing.

DATE: \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Debtor's Address & Taxpayer ID#(s) (last 4 digits)

**STOP: BEFORE SERVING COPIES, SUBMIT THE MOTION TO OBTAIN A JUDGE'S SIGNATURE!**

#### CERTIFICATE OF SERVICE

I certify that on \_\_\_\_\_ (1) a copy of (a) this motion and order thereon, (b) any Notice of Hearing prepared by the court per the judge's order, (c) the notice of any pending confirmation hearing plus all documents required to be attached thereto indicating any proposed plan(s) under consideration, (d) the latest, if any, confirmed or approved plan, (e) any pending Notice of Modification of Plan and all required attachments thereto, and (f) the applicable proof of claim was served on each creditor listed above; (2) a copy of (a) this motion and order thereon, and (b) all applicable proofs of claim were served on the trustee; AND (3) [only if any creditor listed was NOT scheduled prior to the first date set for the confirmation hearing] a copy of this motion and order thereon were served on all creditors.

\_\_\_\_\_  
Signature & Relation to Debtor

**IMPORTANT: After service, complete the "Certificate of Service" above using a copy of this document that includes the court's order, and then promptly file the Certificate (WITHOUT any attachments).**